



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

March 1, 2018

**BY ECF**

The Honorable Ronnie Abrams  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *United States v. Jason Galanis, et al.*, 16 Cr. 371 (RA)**

Dear Judge Abrams:

The Government writes in response to the Court's February 28, 2018 Order requiring the parties to notify the Court of material changes to the facts underlying the parties' pending motions, including resolution of any of the various discovery disputes. The Government writes to provide the following updates:

In their moving briefs, the defendants complained that certain records in the Government's productions to all defendants were insufficiently organized. On February 12 and 15, 2018, the Government produced an index of records the Government obtained from the Securities and Exchange Commission and which were produced by the Government in discovery to all defendants.

In their moving briefs, the defendants demanded access to impeachment material for Jason Galanis, including consensual recordings involving Jason Galanis from approximately 2010. On February 22, 2018, the Government notified all defense counsel that, because it intends to offer certain statements made by Jason Galanis as evidence at trial for the truth of the matter asserted, it would produce certain materials related to Jason Galanis on the previously agreed upon schedule for production of materials pursuant to 18 U.S.C. § 3500. As the Court is aware, the Government is in possession of recorded telephone calls and text messages involving Jason Galanis (the "Calls"), which were recorded during portions of 2010 and 2011, long before the inception of the fraud alleged in this case. In its February 22, 2018 letter, the Government also notified all defense counsel that, in an abundance of caution and due to the volume of the Calls, the Government would make the Calls available for review at the U.S. Attorney's Office to all defense counsel immediately.

On February 28, 2018, the Government provided, pursuant to the parties' agreed upon schedule, (i) expert notice; and (ii) notice that the Government intends to introduce at trial evidence of various matters as direct evidence of the scheme charged in the Indictment, and that such evidence is also admissible pursuant to Federal Rule of Evidence 404(b).

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney

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cc: All defense counsel (by ECF)